

REMARKS

Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims Status

Claims 1 through 9 are now pending in the application. Claims 3 and 4 have been canceled herein. Claims 1 and 6 through 9 have been amended to even more succinctly define the invention and/or to improve their form. It is respectfully submitted that no new matter has been added. Claims 1 and 6 are the only independent claims present in the application.

Abstract of the Disclosure

The abstract of the disclosure is objected to because it contains so-called legal phraseology, and it exceeds 150 words. In response, a new Abstract has been submitted for the Examiner's consideration and approval.

Title

The title is objected to as not being clearly indicative of the claimed invention. In response, a new title has been presented for the Examiner's consideration and approval.

Drawings

Figure 3 of the drawings is objected to because it is not designated by a legend such as --PRIOR ART--. In response a Submission of Corrected Sheet of Drawings is being filed concurrently herewith wherein the legend has been added to Figure 3.

Claim Objections

Claim 6 through 9 are objected to because of the informalities noted in the Official Action. In response, Claim 6 has been amended *inter alia* to avoid the grounds of objection. It is respectfully submitted that the objection has been overcome.

Allowable Subject Matter

It is acknowledged with appreciation that Claim 4 is merely objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form.

It is also acknowledged with appreciation that Claims 6 through 9 would be allowable if rewritten to overcome the above noted objection. As previously-indicated Claim 6 has been amended to avoid the grounds of the objection.

Art Rejections

Claims 1 through 3 and 5 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,834,173 (Yamaguchi, et al.). The rationale underlying the rejection is succinctly set forth in Office Action.

Response to Art Rejections

Without conceding the propriety of the rejection and solely to advance prosecution, Claim 1 has been amended to include the subject matter of dependent Claim 3. Since Claim 3 depended from Claim 2, which depended from Claim 1, and Claim 3 further defines Claim 2, it is respectfully submitted that Claim 1 is now allowable. Accordingly, further comment on the art rejection is not necessary.

Dependent Claims


Claims 2, 5, 7, 8, and 9 depend either directly or indirectly from one of Claims 1 and 6 and are allowable by virtue of their dependency and in their own right for further defining Applicants' invention. Individual consideration of the dependent claims is respectfully requested.

Closing Comments

It is respectfully submitted that the pending claims are allowable over the art of record and that the application is in condition for allowance. Favorable reconsideration and early passage to issue of the present application are earnestly solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our New York office at the address shown below.

Respectfully submitted,


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